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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/078,469	05/14/1998	YASUSHI TAKAHASHI	450100-4487	7293

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EXAMINER

HUYNH, SON P

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 02/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/078,469

Applicant(s)

TAKAHASHI ET AL.

Examiner

Son P Huynh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 November 2002.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-5,7,9-11,13 and 17-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1,3-5,7,9-11,13 and 17-20 is/are allowed.
- 6) ☒ Claim(s) 21-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 13 June 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_                      6) ☐ Other:

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 21-28 have been considered.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 21-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 21, line 14, the phrase "said user interface," lacks of antecedent basis.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which

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said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 21-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bergh et al. (US 6,112,186) and in view of Hendricks et al. (US 5,798,785).

Regarding claim 21, Bergh teaches a method wherein the user name, address, age are stored in user profile, In addition, the user profile stores information about the rating, such as time and data the user entered the rating for the item. Then in response user rating information in user profiles, generating a user's neighbor set based on similarity factor between the rating users; Once a set of neighboring users is chosen, a weight is assigned to each of the neighboring users based on confident factor of each user; the user's neighboring user set also be updated each time that a new rating is entered by user (see figures 1 and 3). Bergh also teaches providing the user with a particular set of items to rate corresponding to a particular group of items. Group are genres of items (see col. 4, lines 15-52); Furthermore, Bergh teaches a list of items is recommended to user and displayed on the screen using user information in neighbor set (see col. 13, line 55+). Inherently, the method comprising: enabling each user of a group of users of common end user equipment to input video program preference data; processing the inputted program preference data to create a specific user model for each user in the group; forming a group user model (neighbor set) on the basis of the plurality of specific user models;

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storing the formed group user model in a group user's preference database; receiving group of items and determining which items to provide to specific neighbor set based on user information in neighbor set; selecting via a user interface, a program from the displayed list for viewing.

However, Bergh does not specifically disclose receiving program guide information; generating a display signal representing a prioritized screen which includes a list of the determined programs;

Hendricks teaches receiving program guide information; determining program that is interested by user based on user preferences; generating a display signal representing a prioritized screen which includes a list of the determined programs; selecting, via a user interface, a program from the displayed list for viewing (see col. 2, lines 7-65; col. 30, line 3-col. 33, line 13; col. 33, line 58-col. 34, line 19). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bergh to incorporate the features as taught by Hendricks in order to provides the most desired programs to users thereby increase efficiency in service.

Regarding claim 22, Bergh teach the group user model is formed on the basis of the plurality of specific use models formed for users of the common end user equipment of a household (see figures 1-3).

Regarding claim 23, Bergh in view of Hendricks teaches a method as discussed in the rejection of claim 21. Hendricks further discloses programs

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suggested from the program abstract search can then be prioritized and either displayed in prioritized order or further refined by deleting programs not satisfying a minimum weight threshold thereby reducing the list of suggested programs displayed to the viewer. The refined list is then displayed to the viewer (see col. 33, lines 7-13; col. 36, lines 29-67; col. 38, lines 7-15). Inherently, the prioritized screen contains information of an electronic program guide (EPG), the information being displayed prioritized via rearrangement of menu contents of the EPG in accordance with a genre priority order according to the group user model.

Regarding claim 24, Bergh in view of Hendricks teaches a method as discussed in the rejection of claim 21. Hendricks further discloses programs suggested from the program abstract search can then be prioritized and either displayed in prioritized order or further refined by deleting programs not satisfying a minimum weight threshold thereby reducing the list of suggested programs displayed to the viewer. The refined list is then displayed to the viewer (see col. 33, lines 7-13; col. 36, lines 29-67; col. 38, lines 7-15). Inherently, the prioritized screen contains information of an electronic program guide (EPG).

In addition, Bergh discloses information about the recommended items can be displayed to user such as "highly recommended" or "highly recommended-85%" or it may display "highly recommended-very sure" (see col. 14, lines 12-37). It is obvious that information being displayed prioritized via displayed of selected menu content of the EPG in a differentiating manner with respect to displayed non-selected menu contents on the screen in order to allow user to recognize the

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selected items and non-selected items, thereby it helps user to select a desired program easily.

Regarding claims 25-28, the limitations of the system as claimed correspond to the limitations of the method as claimed in claims 21-24 and are analyzed as discussed with respect to the rejection of claims 21-24.

***Allowable Subject Matter***

6. Claims 1, 3-5, 7, 9-11, 13, 17-20 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: the prior art of record fails to show or fairly suggest the group of use model is formed by a user selectable maximum value mode, minimum value mode or average value mode in which an end user selects between a maximum value, minimum value or average value, respectively, of the plurality of specific user model.

***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chislenko et al. (US 6,041,311) teaches method and apparatus for item recommendation using automated collaborative filtering.

Yoshida et al. (US 5,970,486) teaches keyword creation method and its apparatus.

Klein et al. (US 5,872,850) teaches system for enabling information marketplace.



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Sheena et al. (US 6,049,777) teaches computer implemented collaborative filtering based method for recommending an item to user.


Chislenko (US 6,092,049) teaches method and apparatus for efficiently recommending items using automated collaborative filtering and feature-guided automated collaborative filtering.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son P Huynh whose telephone number is 703-305-1889. The examiner can normally be reached on 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is 703-306-0377.

Son P. Huynh  
February 10, 2003

  
CHRIS GRANT  
PRIMARY EXAMINER